

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Confirmation No.
Bijan Tadayon) 3920
Serial No. 10/777,044) Group Art Unit: 3621
Filed: February 13, 2004) Examiner:
) KUCAB, JAMIE R.
For: METHOD AND APPARATUS FOR)
DYNAMICALLY ASSIGNING USAGE)
RIGHTS TO DIGITAL WORKS)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56 and 37 C.F.R. 1.97-1.99, Applicants request that the reference(s) listed on the attached Form(s) PTO/SB/08a be made of record in the above-identified application.

Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a foreign application that is substantively related to the above-identified application not more than three months prior to the filing of this statement. In view of the definition of the term “counterpart foreign patent application” set forth in MPEP 609.04(b), it is not definitively clear to Applicants whether the foreign application is a “counterpart foreign patent application” for the purposes of certification under 37 CFR 1.97(e).

Therefore, Applicants submit that 1) none of the items of information contained in the information disclosure statement were cited in a communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this Information Disclosure Statement, and, 2) to their knowledge after making reasonable inquiry, no item of

information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

It is requested that the accompanying Form(s) PTO/SB/08a be considered and made of record in the above-identified application. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1529 the amount of \$180.00 for the Information Disclosure Statement and thereby complying with 37 C.F.R. § 1.97(c).

Respectfully submitted,

Stephen M. Hertzler
Registration No. 58,247

REED SMITH LLP
CUSTOMER NO.: 98804
1301 K Street N.W.
Suite 1100 – East Tower
Washington, D.C. 20005